

RECEIVED

APR 17 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

78551

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.

- Yes N/A * Means the item is always required and must be included with the application.
- ☒ * Completed Application for Transfer of Water Right form, Part 1.
 - ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
 - ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
 - ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
 - ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
 - ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

04-16-'13 16:58 FROM- Barke. Rosholt

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

78351

APR 23 2013

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APR 18 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGIONName of Applicant(s) Six S Ranch LLC

Phone (208) 654-2584

Mailing address 1354 E Six S Ranch Rd., Declo, Idaho 83323

Email

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it Attachment #1.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it Attachment #2a.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it Attachment #2b.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it Attachment #3.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

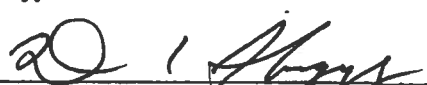
☐ No RepresentativeName of Representative Travis L. Thompson (attorney)

Phone (208) 733-0700

Mailing address 195 River Vista Place, Suite 204, Twin Falls, Idaho 83301-3029Email tl@idahowaters.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it Attachment #4.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


 Signature of Applicant or Authorized Representative

Don Skaggs, Member

Print Name and Title if applicable

Date

4-16-13

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
- ☐ Change nature of use ☐ Change period of use ☒ Other add point of injection
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it Part 1A.2. See Attachment

APR 17 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION
T-105 P0002/0002 F-287

Apr 16 13 05:06p

04-16-'13 16:58 FROM- Barker, Rosholt 2087352444

Rev. 07/11
Page 2 of 19STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 78551APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Six S Ranch LLC Phone (208) 654-2584Mailing address 1354 E Six S Ranch Rd., Declo, Idaho 83323 Email _____

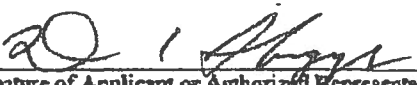
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☐ No RepresentativeName of Representative Travis L. Thompson (attorney) Phone (208) 733-0700Mailing address 195 River Vista Place, Suite 204, Twin Falls, Idaho 83301-3029 Email tl@idahowaters.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☒ Send original correspondence to the applicant and copies to the representative.
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- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it Attachment #4.

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 Signature of Applicant or Authorized Representative

Don Skaggs, Member
 Print Name and Title if applicable

4-16-13
 Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other add point of injection
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it Part 1A.2. See Attachment

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	45-2625	2.39 cfs	Irrigation	3/15 to 11/15	Groundwater
☒ ☐	45-7021	1.55 cfs	Irrigation	3/15 to 11/15	Groundwater
☒ ☐	45-14376	3.39 cfs	Irrigation	3/15 to 11/15	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 7.33 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed _____ cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
										See Attachment

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☒ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres (for irrigation use) _____

Part 1.A.2

The Applicant seeks to add a point of diversion to three ground water rights for irrigation use on the existing place of use. The Applicant also seeks to add a point of injection to pump water directly into Marsh Creek and utilize two existing points of redirection. The Applicant also seeks to remove a point of diversion, a point of injection, and two points of redirection that are no longer necessary.

Legal Description Additional Point of Diversion

NENE Sec. 34 T10S R25E Cassia County

Legal Description Point of Injection

SWNE Sec. ~~34~~ ^{34 per 4/23/13 email from Travis Thompson} T10S R25E Cassia County

Legal Description of Existing Points of Rediversion (added by T-78301)

NWNWSW Sec. 27 T10S R25E Cassia County

SENW Sec. 34 T10S R25E Cassia County

Legal Description Point of Diversion to Remove

SENE Sec. 3 T11S R25E Cassia County

Legal Description Point of Injection to Remove

SENE Sec. 3 T11S R25E Cassia County

Legal Description Points of Rediversion to Remove

NENWNE Lt 2 Sec. 3 T11S R25E Cassia County

NWNE Lt. 2 Sec. 3 T11S R25E Cassia County

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: _____
New well and pump to be installed, will add a point of injection to divert water into existing irrigation system and Marsh Creek. Diversion structures at existing points of redirection on Marsh Creek will remain the same. Will also eliminate point of diversion, point of injection, and two points of redirection recently approved in T-78301 (no longer necessary).
- b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: _____
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____
It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
N/A
- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Applicant owns existing surface and ground water rights for irrigation on the same lands. See Transfer No. 77648 for a complete list.
- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:
Yes No
☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe: _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 45-2625

Current Owner: SIX S RANCH LLC
Priority Date: 9/29/1960
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversions Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.39 CFS	880 AF
	<u>Total Diversion</u>	2.39 CFS	880 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4NW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	NW1/4SE1/4SW1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	SE1/4NE1/4	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	SE1/4NE1/4	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Injection)			
GROUND WATER	NW1/4NW1/4SW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	NW1/4NW1/4SW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	SE1/4NW1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	SE1/4NW1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	L2(NW1/4NE1/4)	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	L2(NW1/4NE1/4)	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	SE1/4NE1/4	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Injection)			
GROUND WATER	L2(NW1/4NE1/4)	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	L2(NW1/4NE1/4)	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Rediversion)			

Place of Use

IRRIGATION Within CASSIA County

T10S R25E S21		SESW	4.40	T10S R25E S21		NESE	20.00
T10S R25E S21		NWSE	1.20	T10S R25E S21		SWSE	32.00
T10S R25E S21		SESE	40.00	T10S R25E S22		NESW	31.00
T10S R25E S22		NWSW	29.00	T10S R25E S22		SWSW	40.00
T10S R25E S22		SESW	40.00	T10S R25E S22		NWSE	11.00
T10S R25E S22		SWSE	28.00	T10S R25E S22		SESE	1.40
T10S R25E S27		NENE	25.00	T10S R25E S27		NWNE	40.00
T10S R25E S27		SWNE	39.00	T10S R25E S27		SENE	14.00
T10S R25E S27		NENW	40.00	T10S R25E S27		NWNW	40.00
T10S R25E S27		SWNW	40.00	T10S R25E S27		SENW	40.00
T10S R25E S27		NESW	40.00	T10S R25E S27		NWSW	40.00
T10S R25E S27		SWSW	40.00	T10S R25E S27		SESW	29.00
T10S R25E S27		NESE	3.80	T10S R25E S27		NWSE	40.00
T10S R25E S27		SWSE	34.00	T10S R25E S28		NENE	40.00
T10S R25E S28		NWNE	40.00	T10S R25E S28		SWNE	40.00
T10S R25E S28		SENE	40.00	T10S R25E S28		NENW	36.00
T10S R25E S28		NWNW	1.90	T10S R25E S28		SWNW	1.20
T10S R25E S28		SENW	36.00	T10S R25E S28		NESW	40.00
T10S R25E S28		NWSW	33.00	T10S R25E S28		SWSW	31.00
T10S R25E S28		SESW	40.00	T10S R25E S28		NESE	40.00
T10S R25E S28		NWSE	40.00	T10S R25E S28		SWSE	40.00
T10S R25E S28		SESE	40.00	T10S R25E S33		NENE	40.00
T10S R25E S33		NWNE	40.00	T10S R25E S33		SWNE	40.00
T10S R25E S33		SENE	40.00	T10S R25E S33		NENW	17.00
T10S R25E S33		SENW	27.00	T10S R25E S33		NESW	5.30
T10S R25E S33		NESE	40.00	T10S R25E S33		NWSE	29.00
T10S R25E S33		SESE	3.00	T10S R25E S34		NENE	21.00
T10S R25E S34		NWNE	40.00	T10S R25E S34		SWNE	40.00
T10S R25E S34		SENE	40.00	T10S R25E S34		NENW	39.00
T10S R25E S34		NWNW	40.00	T10S R25E S34		SWNW	40.00
T10S R25E S34		SENW	40.00	T10S R25E S34		NESW	40.00
T10S R25E S34		NWSW	40.00	T10S R25E S34		SWSW	8.20
T10S R25E S34		SESW	19.00	T10S R25E S34		NESE	40.00
T10S R25E S34		NWSE	40.00	T10S R25E S34		SWSE	40.00
T10S R25E S34		SESE	40.00	T10S R25E S35		SWNW	13.00
T10S R25E S35		NWSW	21.00	T10S R25E S35		SWSW	33.00
T11S R25E S2	Lot 4	NWNW	36.00	T11S R25E S2		SWNW	21.00
T11S R25E S2		NWSW	27.00	T11S R25E S2		SWSW	20.00
T11S R25E S3	Lot 1	NENE	22.00	T11S R25E S3	Lot 2	NWNE	29.00
T11S R25E S3		SWNE	20.00	T11S R25E S3		SENE	34.00
T11S R25E S3	Lot 3	NENW	11.00	T11S R25E S3		SENW	9.80
T11S R25E S3		NESW	11.00	T11S R25E S3		SESW	2.40
T11S R25E S3		NESE	40.00	T11S R25E S3		NWSE	34.00
T11S R25E S3		SWSE	26.00	T11S R25E S3		SESE	40.00

Total Acres: 2620.6

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermasters suitable control of the diversions, injection, and rediversions.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 104 If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. X35 Rights 45-2625, 45-7021, 45-7024, 45-7031, 45-14376, 45-14110, 45-14112, 45-14114, 45-14116, 45-14118, 45-14120, 45-14122, 45-14124, 45-14126, 45-14128, 45-14130, and 45-14132 when combined shall not exceed a total diversion rate of 110.35 cfs and the irrigation of 2115.8 acres.
8. X27 This right is limited to the irrigation of 220.0 acres within the authorized place of use in a single irrigation season.
9. 206 Rights 45-2625, 45-7021, 45-7024, 45-7031, 45-14376, 45-14110, 45-14112, 45-14114, 45-14116, 45-14118, 45-14120, 45-14122, 45-14124, 45-14126, 45-14128, 45-14130, and 45-14132 are limited to the irrigation of a specific 2115.8.0 acres within the 2620.6 acre place of use authorized by these rights in a single irrigation season. The specific 2115.8 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 2115.8 acres to be irrigated within the 2620.6 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
10. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. R05 Use of water under this right will be regulated by watermasters with responsibility for the distribution of water among appropriators within water districts. At the time of this approval, this water right is within State Water District No. 140 and State Water District No. 45F.

Decreed Date: 7/5/2005

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 45-7021

Current Owner: SIX S RANCH LLC
Priority Date: 12/1/1967
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Beneficial Use From To
IRRIGATION 03/01 to 11/01
 Total Diversion

Tributary

Diversion Rate Annual Volume
1.55 CFS 624 AF
1.55 CFS 624 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4NW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	NW1/4SE1/4SW1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	SE1/4NE1/4	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	SE1/4NE1/4	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Injection)			
GROUND WATER	NW1/4NW1/4SW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	NW1/4NW1/4SW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	SE1/4NW1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	SE1/4NW1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	L2(NW1/4NE1/4)	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	L2(NE1/4NW1/4NE1/4)	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	SE1/4NE1/4	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Injection)			
GROUND WATER	L2(NW1/4NE1/4)	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	L2(NE1/4NW1/4NE1/4)	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Rediversion)			

Place of Use

IRRIGATION Within CASSIA County

T10S R25E S21		SESW	4.40	T10S R25E S21		NESE	20.00
T10S R25E S21		NWSE	1.20	T10S R25E S21		SWSE	32.00
T10S R25E S21		SESE	40.00	T10S R25E S22		NESW	31.00
T10S R25E S22		NWSW	29.00	T10S R25E S22		SWSW	40.00
T10S R25E S22		SESW	40.00	T10S R25E S22		NWSE	11.00
T10S R25E S22		SWSE	28.00	T10S R25E S22		SESE	1.40
T10S R25E S27		NENE	25.00	T10S R25E S27		NWNE	40.00
T10S R25E S27		SWNE	39.00	T10S R25E S27		SENE	14.00
T10S R25E S27		NENW	40.00	T10S R25E S27		NWNW	40.00
T10S R25E S27		SWNW	40.00	T10S R25E S27		SENW	40.00
T10S R25E S27		NESW	40.00	T10S R25E S27		NWSW	40.00
T10S R25E S27		SWSW	40.00	T10S R25E S27		SESW	29.00
T10S R25E S27		NESE	3.80	T10S R25E S27		NWSE	40.00
T10S R25E S27		SWSE	34.00	T10S R25E S28		NENE	40.00
T10S R25E S28		NWNE	40.00	T10S R25E S28		SWNE	40.00
T10S R25E S28		SENE	40.00	T10S R25E S28		NENW	36.00
T10S R25E S28		NWNW	1.90	T10S R25E S28		SWNW	1.20
T10S R25E S28		SENW	36.00	T10S R25E S28		NESW	40.00
T10S R25E S28		NWSW	33.00	T10S R25E S28		SWSW	31.00
T10S R25E S28		SESW	40.00	T10S R25E S28		NESE	40.00
T10S R25E S28		NWSE	40.00	T10S R25E S28		SWSE	40.00
T10S R25E S28		SESE	40.00	T10S R25E S33		NENE	40.00
T10S R25E S33		NWNE	40.00	T10S R25E S33		SWNE	40.00
T10S R25E S33		SENE	40.00	T10S R25E S33		NENW	17.00
T10S R25E S33		SENW	27.00	T10S R25E S33		NESW	5.30
T10S R25E S33		NESE	40.00	T10S R25E S33		NWSE	29.00
T10S R25E S33		SESE	3.00	T10S R25E S34		NENE	21.00
T10S R25E S34		NWNE	40.00	T10S R25E S34		SWNE	40.00
T10S R25E S34		SENE	40.00	T10S R25E S34		NENW	39.00
T10S R25E S34		NWNW	40.00	T10S R25E S34		SWNW	40.00
T10S R25E S34		SENW	40.00	T10S R25E S34		NESW	40.00
T10S R25E S34		NWSW	40.00	T10S R25E S34		SWSW	8.20
T10S R25E S34		SESW	19.00	T10S R25E S34		NESE	40.00
T10S R25E S34		NWSE	40.00	T10S R25E S34		SWSE	40.00
T10S R25E S34		SESE	40.00	T10S R25E S35		SWNW	13.00
T10S R25E S35		NWSW	21.00	T10S R25E S35		SWSW	33.00
T11S R25E S2	Lot 4	NWNW	36.00	T11S R25E S2		SWNW	21.00
T11S R25E S2		NWSW	27.00	T11S R25E S2		SWSW	20.00
T11S R25E S3	Lot 1	NENE	22.00	T11S R25E S3	Lot 2	NWNE	29.00
T11S R25E S3		SWNE	20.00	T11S R25E S3		SENE	34.00
T11S R25E S3	Lot 3	NENW	11.00	T11S R25E S3		SENW	9.80
T11S R25E S3		NESW	11.00	T11S R25E S3		SESW	2.40
T11S R25E S3		NESE	40.00	T11S R25E S3		NWSE	34.00
T11S R25E S3		SWSE	26.00	T11S R25E S3		SESE	40.00

Total Acres: 2620.6

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. X35 Rights 45-2625, 45-7021, 45-7024, 45-7031, 45-14376, 45-14110, 45-14112, 45-14114, 45-14116, 45-14118, 45-14120, 45-14122, 45-14124, 45-14126, 45-14128, 45-14130, and 45-14132 when combined shall not exceed a total diversion rate of 110.35 cfs and the Irrigation of 2115.8 acres.
3. X35 Rights 45-7021 and 45-14376 when combined shall not exceed a total diversion rate of 4.94 cfs, a total annual maximum diversion volume of 2203.2 af at the field headgate, and the irrigation of 550.8 acres.
4. X27 This right is limited to the irrigation of 156.0 acres within the authorized place of use in a single irrigation season.
5. X35 Rights 45-7021 and 7031 when combined shall not exceed a total diversion rate of 12.07 cfs, a total annual maximum diversion volume of 2372.0 af at the field headgate, and the irrigation of 593.0 acres.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. 104 If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
11. 206 Rights 45-2625, 45-7021, 45-7024, 45-7031, 45-14376, 45-14110, 45-14112, 45-14114, 45-14116, 45-14118, 45-14120, 45-14122, 45-14124, 45-14126, 45-14128, 45-14130, and 45-14132 are limited to the irrigation of a specific 2115.8 acres within the 2620.6 acre place of use authorized by these rights in a single irrigation season. The specific 2115.8 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 2115.8 acres to be irrigated within the 2620.6 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
12. X35 Rights 45-14110, 45-14112, 45-14114, 45-14116, 45-14118, 45-14120, 45-14122, 45-14124, 45-14126, 45-14128, 45-14130, 45-14132, and 45-7021 when combined shall not exceed the irrigation of 1928.1 acres.
13. R05 Use of water under this right will be regulated by watermasters with responsibility for the distribution of water among appropriators within water districts. At the time of this approval, this water right is within State Water District No. 140 and State Water District No. 45F.
14. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
15. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermasters suitable control of the diversions, injection, and rediversions.

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16. X61 The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than July 5, 2005.

Decreed Date: 7/5/2005

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IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

RECEIVED
APR 17 2013
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Current Water Right No.: 45-14376

Current Owner: SIX S RANCH LLC

Priority Date: 8/25/1969

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/01	3.39 CFS	1656 AF
	<u>Total Diversion</u>	3.39 CFS	1656 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4SW1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	SE1/4SW1/4NW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	NE1/4NW1/4NW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	SE1/4NE1/4	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County				
GROUND WATER	NW1/4NW1/4SW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	NW1/4NW1/4SW1/4	Sec. 27,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	SE1/4NW1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	SE1/4NW1/4	Sec. 34,	Twp 10S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	SE1/4NE1/4	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Injection)			
GROUND WATER	L2(NW1/4NE1/4)	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	L2(NW1/4NW1/4NE1/4)	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	SE1/4NE1/4	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Injection)			
GROUND WATER	L2(NW1/4NE1/4)	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Rediversion)			
GROUND WATER	L2(NW1/4NW1/4NE1/4)	Sec. 3,	Twp 11S,	Rge 25E B.M.
CASSIA County	(Rediversion)			

Place of Use

IRRIGATION Within CASSIA County

T10S R25E S21		SESW	4.40	T10S R25E S21		NESE	20.00
T10S R25E S21		NWSE	1.20	T10S R25E S21		SWSE	32.00
T10S R25E S21		SESE	40.00	T10S R25E S22		NESW	31.00
T10S R25E S22		NWSW	29.00	T10S R25E S22		SWSW	40.00
T10S R25E S22		SESW	40.00	T10S R25E S22		NWSE	11.00
T10S R25E S22		SWSE	28.00	T10S R25E S22		SESE	1.40
T10S R25E S27		NENE	25.00	T10S R25E S27		NWNE	40.00
T10S R25E S27		SWNE	39.00	T10S R25E S27		SENE	14.00
T10S R25E S27		NENW	40.00	T10S R25E S27		NWNW	40.00
T10S R25E S27		SWNW	40.00	T10S R25E S27		SENW	40.00
T10S R25E S27		NESW	40.00	T10S R25E S27		NWSW	40.00
T10S R25E S27		SWSW	40.00	T10S R25E S27		SESW	29.00
T10S R25E S27		NESE	3.80	T10S R25E S27		NWSE	40.00
T10S R25E S27		SWSE	34.00	T10S R25E S28		NENE	40.00
T10S R25E S28		NWNE	40.00	T10S R25E S28		SWNE	40.00
T10S R25E S28		SENE	40.00	T10S R25E S28		NENW	36.00
T10S R25E S28		NWNW	1.90	T10S R25E S28		SWNW	1.20
T10S R25E S28		SENW	36.00	T10S R25E S28		NESW	40.00
T10S R25E S28		NWSW	33.00	T10S R25E S28		SWSW	31.00
T10S R25E S28		SESW	40.00	T10S R25E S28		NESE	40.00
T10S R25E S28		NWSE	40.00	T10S R25E S28		SWSE	40.00
T10S R25E S28		SESE	40.00	T10S R25E S33		NENE	40.00
T10S R25E S33		NWNE	40.00	T10S R25E S33		SWNE	40.00
T10S R25E S33		SENE	40.00	T10S R25E S33		NENW	17.00
T10S R25E S33		SENW	27.00	T10S R25E S33		NESW	5.30
T10S R25E S33		NESE	40.00	T10S R25E S33		NWSE	29.00
T10S R25E S33		SESE	3.00	T10S R25E S34		NENE	21.00
T10S R25E S34		NWNE	40.00	T10S R25E S34		SWNE	40.00
T10S R25E S34		SENE	40.00	T10S R25E S34		NENW	39.00
T10S R25E S34		NWNW	40.00	T10S R25E S34		SWNW	40.00
T10S R25E S34		SENW	40.00	T10S R25E S34		NESW	40.00
T10S R25E S34		NWSW	40.00	T10S R25E S34		SWSW	8.20
T10S R25E S34		SESW	19.00	T10S R25E S34		NESE	40.00
T10S R25E S34		NWSE	40.00	T10S R25E S34		SWSE	40.00
T10S R25E S34		SESE	40.00	T10S R25E S35		SWNW	13.00
T10S R25E S35		NWSW	21.00	T10S R25E S35		SWSW	33.00
T11S R25E S2	Lot 4	NWNW	36.00	T11S R25E S2		SWNW	21.00
T11S R25E S2		NWSW	27.00	T11S R25E S2		SWSW	20.00
T11S R25E S3	Lot 1	NENE	22.00	T11S R25E S3	Lot 2	NWNE	29.00
T11S R25E S3		SWNE	20.00	T11S R25E S3		SENE	34.00
T11S R25E S3	Lot 3	NENW	11.00	T11S R25E S3		SENW	9.80
T11S R25E S3		NESW	11.00	T11S R25E S3		SESW	2.40
T11S R25E S3		NESE	40.00	T11S R25E S3		NWSE	34.00
T11S R25E S3		SWSE	26.00	T11S R25E S3		SESE	40.00

Total Acres: 2620.6

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
3. 206 Rights 45-2625, 45-7021, 45-7024, 45-7031, 45-14376, 45-14110, 45-14112, 45-14114, 45-14116, 45-14118, 45-14120, 45-14122, 45-14124, 45-14126, 45-14128, 45-14130, and 45-14132 are limited to the irrigation of a specific 2115.8 acres within the 2620.6 acre place of use authorized by these rights in a single irrigation season. The specific 2115.8 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 2115.8 acres to be irrigated within the 2620.6 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. 104 If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. X35 Rights 45-2625, 45-7021, 45-7024, 45-7031, 45-14376, 45-14110, 45-14112, 45-14114, 45-14116, 45-14118, 45-14120, 45-14122, 45-14124, 45-14126, 45-14128, 45-14130, and 45-14132 when combined shall not exceed a total diversion rate of 110.35 cfs and the irrigation of 2115.8 acres.
7. X35 Rights 45-14110, 45-14112, 45-14114, 45-14116, 45-14118, 45-14120, 45-14122, 45-14124, 45-14126, 45-14128, 45-14130, 45-14132, and 45-14376 when combined shall not exceed the irrigation of 2045.9 acres.
8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. X61 The period of use for the Irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than July 5, 2005.
10. R05 Use of water under this right will be regulated by watermasters with responsibility for the distribution of water among appropriators within water districts. At the time of this approval, this water right is within State Water District No. 140 and State Water District No. 45F.
11. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermasters suitable control of the diversions, Injection, and rediversions.
12. X35 Rights 45-7021 and 45-14376 when combined shall not exceed a total diversion rate of 4.94 cfs, a total annual maximum diversion volume of 2203.2 af at the field headgate, and the irrigation of 550.8 acres.
13. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
15. X27 This right is limited to the irrigation of 451.8 acres within the authorized place of use in a single irrigation season.

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Decreed Date: 7/5/2005

Add'l Fee Paid	Date	Received by	Receipt #
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0 1,500 3,000 Feet

TRANSFER 78551

SIX S RANCH LLC PPU & PROPOSED POD NAIP 2011 AERIAL

Legend

Points_of_Diversion
GROUND WATER

Proposed PPU
New Well





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 25, 2013

SIX S RANCH LLC
1354 E SIX S RANCH RD
DECLO, ID 83323

RE: Transfer No. 78551
Water Right No(s). 45-14376, 45-2625, 45-7021

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 8/1/2013 and 8/8/2013**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**August 19, 2013**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant

cc:

TRAVIS L THOMPSON
BARKER ROSHOLT & SIMPSON LLP
195 RIVER VISTA PLACE, STE 204
TWIN FALLS, ID 83301-3029

Maline, Denise

From: Maline, Denise
Sent: Thursday, July 25, 2013 3:52 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on August 1st & 8th, 2013. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant, Southern Region
Idaho Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

July 25, 2013

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Transfer No. 78551
Water Right No(s): 45-14376, 45-2625, 45-7021

RE: Transfer No. 78721
Water Right No(s): 47-7689

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before August 19, 2013. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78551**

SIX S RANCH LLC, 1354 E SIX S RANCH RD, DECLO, ID 83323; has filed Application No. 78551 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14376, 45-2625, 45-7021. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes adding a new point of diversion consisting of a new well for three groundwater rights that currently allow for the diversion of up to 7.33 cfs for irrigation of up to 770.8 acres within a 2,620.6 acre permissible place of use on property located approximately 4.0 - 6.25 miles east and 1.5 miles north - 2.0 miles south of Declo. The new well will be located approximately 6.0 miles east and 0.1 mile south of Declo. The application proposes allowing for the pumping of water from the new well and injecting it into Marsh Creek and then rediverting water from two existing diversions located downstream on Marsh Creek for irrigation of the property.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78721**

MIRACLE MILE LLC, 4799B RIVER RD, BUHL, ID 83316; has filed Application No. 78721 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-7689. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving a portion (0.013 cfs and 6.7 afa) of a low temperature geothermal heating and recreation ground water right from a parcel located 8.9 miles south and 2.7 miles east of Hagerman to an existing well and a new place of use approximately 0.6 miles east of the original point of diversion. The new place of use and point of diversion are located approximately 8.8 miles south and 3.6 miles east of the intersection of Main St. and Hwy 30 in Hagerman.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfers, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before August 19, 2013. The protestant must also send a copy of the protest to the applicant.

Maline, Denise

From: Maline, Denise
Sent: Thursday, July 25, 2013 4:28 PM
To: 'Brian Higgs'
Subject: Comment Letter for Transfer # 78551
Attachments: Comment Letter to Brian Higgs.pdf; Transfer 78551.pdf

Dear Brian,

Attached please find a cover letter, recommendation form, and copy of Transfer No. 78551 in the name of Six S Ranch. Please review the attached information and provide any necessary comments within 21 days. Feel free to contact our office if you have any questions.

Thank you in advance,

Denise Maline
Administrative Assistant, Southern Region
Idaho Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 25, 2013

BRIAN HIGGS
WATER DISTRICT #140
355 W 500 S
BURLEY, ID 83318

Via E-mail

RE: Transfer No. 78551
Water Right No(s): 45-2625, 45-7021, 45-14376

Dear Mr. Higgs:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 25, 2013

DONALD GUNDERSON
WATER DISTRICT #45-F
1047 E 1000 S
ALBION, ID 83311-0125

RE: Transfer No. 78551
Water Right No(s): 45-2625, 45-7021, 45-14376

Dear Mr. Gunderson:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

MEMORANDUM

Date: July 19, 2013
To: Transfer 78551 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes adding a new point of diversion consisting of a new well for three groundwater rights that currently allow for the diversion of up to 7.33 cfs for the irrigation of up to 770.8 acres within a 2,620.6 acre permissible place of use on property located approximately 4.0 - 6.25 miles east and 1.5 miles north - 2.0 miles south of Declo. The new well will be located approximately 6.0 miles east and 0.1 mile south of Declo. The application proposes allowing for the pumping of water from the new well and injecting it into Marsh Creek and then rediverting water from two existing diversions located downstream on Marsh Creek for irrigation of the property. The new well will be located within water district 140, but outside the ESPA. Other rights (groundwater and Marsh Creek), not subject to this transfer, are used to irrigate the permissible placed of use (see Transfer # 77648 approved 3/12/2012). Note that the current transfer also proposes deleting the points of diversion that were added via transfer # 77648.

- **Authority to File:**
Applicant is listed as the current owner on IDWR records for the rights involved in this transfer.
- **Water Right Validity:**
Rights involved with this transfer were decreed in the SRBA in the summer of 2005. Review of aerial photography appears to support the recent use of the rights involved with this transfer. Also note that the rights involved with this transfer were subject to Transfer # 77648 (approved 3/12/2012) and Transfer # 78301 (approved 2/22/2013).
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impact anticipated. Application will be subject to public notice.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on Economy of the Local Area:**
None anticipated.
- **Effect of the Agricultural Base of the Local Area:**
None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

Skinner, Corey

From: Travis Thompson [tlt@idahowaters.com]
Sent: Tuesday, April 23, 2013 2:10 PM
To: Skinner, Corey
Subject: Six S Transfer

Corey,

As discussed, please correct the clerical mistake on the transfer application attachment. It should read "Section 34" as shown on the map.

Thanks,

Travis

*John A. Rosholt
Albert P. Barker
John K. Simpson
Travis L. Thompson
Shelley M. Davis
Paul L. Arrington
Scott A. Magnuson
Sarah W. Higer*



Travis L. Thompson
tlth@idahowaters.com

195 River Vista Place, Suite 204
Twin Falls, ID 83301-3029
(208) 733-0700 telephone
(208) 735-2444 facsimile
jf@idahowaters.com

1010 W. Jefferson St., Suite 102
P.O. Box 2139
Boise, ID 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

April 17, 2013

VIA HAND DELIVERY

Mr. Corey Skinner
IDWR - Southern Region
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED
APR 17 2013
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Re: Application for Transfer (Six S Ranch LLC)

Dear Corey:

Please find enclosed the following documents for filing:

- 1) Transfer Application
- 2) Part 1.A.1 Attachment (including description of additional point of diversion and new point of injection)
- 3) Attachment #7a (Map – Identifying Points of Diversion / Injection / Rediversion)

I have also enclosed a check from Six S Ranch LLC for the filing fees (\$1,060). Please call me at 733-0700 if you have any questions or need any additional information.

Sincerely,

BARKER ROSHOLT & SIMPSON LLP

Travis L. Thompson

Enc.

cc: Pat McCammon (w/o enclosures)